

Board of Commissioners Meeting
March 21, 2012

Present: Commissioner Steve McClure
Commissioner Mark D. Davidson
Commissioner William D. Rosholt

Chairman Rosholt called the meeting to order at 9:00 a.m. and began with the Pledge of Allegiance. All three Commission members were present.

Public Comments

Travel Management Plan

Monica Schwalbach, Wallowa-Whitman National Forest Supervisor, and Bill Gamble, La Grande District Ranger came to the Commissioners to discuss the Forest Service Travel Management Plan. Bill explained that it is important that he starts by talking about the reason that travel management planning is needed. Everyone has seen the changes in motorized technology and the way the public uses the forest with the new motorized technology. He has seen the evolution from the Honda 90, to the three wheeler, to the 4 wheeler and now there is side by side ATVs as well. With the advancement of technology the type and extent of use on public lands has changed. The changes have resulted in a need to look at how the use on the forest is managed. In many instances the changes have expanded access to areas that were previously inaccessible except through non-motorized means. This has created some resource conflicts as well as some unwanted impacts on those resources.

In response to the increase in 2005 the Forest Service developed a national regulation known as the Travel Management Rule. The intent of that rule was to establish national consistency about where and when motorized access is allowed in national forests, address those unwanted resource impacts and to provide for a spectrum of sustainable quality recreational experiences and access opportunities on public lands. One of the primary requirements of this rule was for the National Forest to designate a system of roads, trails and areas that are compatible with the multiple resource values and the stewardship responsibilities as managers of the public lands.

In 2007 the Wallowa-Whitman National Forest initiated Travel Management planning to bring their forest plan in compliance with the national rule and address some of the local management resource and recreational use issues. This effort included extensive outreach for partner agencies. There were several key issues identified related to access and travel management planning. One is providing for diversity of motorized and non-motorized access and recreation opportunities ranging from motorized trail networks to areas where people can experience back country solitude. Another key issue is addressing the unwanted resource impacts to important resources like wildlife security, displacement to

private lands, watershed conditions for threaten and endangered fish species and their critical habitats, maintaining and enhancing the function of late and old structural forests and ensuring that the native vegetation communities are resilient and not diminished by expansion and establishment of invasive species. Additionally, it is important to identify a manageable transportation system across the forest that supports local and regional economies and an implementable and enforceable travel management system that is in compliance with the rule as well as other legal requirements that have to be followed such as the endangered species act. Specifically for Union County public input resulted in the identification of six different social circles that correlate with some of the key issues and opportunities in different geographic areas in Union County.

These include the Mt. Emily five points area which were identified as priority areas for important resource protection needs for fish and wildlife as well as protection of roadless back country values and providing future connection and integration opportunities with the Mt. Emily Recreation Area. Another area identified is the Spring Creek area which is the backyard to La Grande. This area was identified as a priority area for overall motorized recreational opportunity. The Dry Beaver/Ladd Canyon area input was strong for maintaining low levels of motorized access to allow for high quality back country hunting experiences. The Wyndam Frasier area was identified as a high priority area for motorized trail opportunities and integration to the adjacent Umatilla National Forest Trail network. The Breshears area was identified for OHV motorized recreation and Catherine Creek was identified as a high priority for fish resource protection and honoring some of the past decisions related to road management in an area to reduce unwanted impact next to the watershed conditions. There was a variety of resource issues, public desires and opportunities that had to be considered in developing this plan and coming to the final decision.

The final decision strives to find a balance between providing for diversity of motorized and non-motorized opportunities while meeting their public land stewardship responsibilities. The biggest change associated with this decision is the elimination of the unregulated cross country travel. The decision does recognize the public's desire for dispersed camping, firewood gathering and day use activities by allowing for travel for 300 feet off of open designated roads so that people locally can pursue these desirable activities. The decision designates 3,065 miles of motorized routes and in conjunction with past decisions such as the Bald Angel area equates to approximately 4300 miles of designated open motorized roads and trails distributed across the forest. The decision responds to public interest in a variety of motorized experiences including OHV and motorcycle specific trail systems. It emphasizes establishing loop opportunities and integrating the open trail and road networks with adjacent forest systems and providing for an additional thousands of miles of mixed motorized use opportunities. Specific to Union County three of the six social circle areas respond to the publics desire for quality motorized opportunities. Spring Creek

area designates higher open road densities to provide for continued open road opportunities. As they move forward there will undoubtedly be opportunities to access additional connection of designated routes to create more loop opportunities in that area. The Breshears area adds an OHV specific loop and expands ATV trail opportunities to the existing trail system. The decision provides for high quality non-motorized experiences and maintenance of back country roadless conditions and inventory roadless areas and other areas identified by the public. The decision strives to maintain access to trailheads, peak camping areas, scenic overlooks and places of high interest identified by local users. The decision addresses important resource concerns expressed by the public, tribes, local government's regulatory agencies related to endangered fish species, critical big game habitat need and tribal tree rights by doubling the amount of high quality big game security habitat and reducing access related impacts to streams and fish that call them home. For example, Dry Beaver/Ladd Canyon area maintains the current limited motorized access to provide for quality back country hunting opportunities. The Five Points/Mt. Emily area will offer enhanced big game security and improved conditions for fish while providing limited motorized access. One positive change in this area from the motorized prospective is the addition of the 3120 road as a mixed use road which will allow a connection of the Mt. Emily Recreation Area.

He explained that the Forest Service understands that this decision is a change and that change is hard. They also understand that no decision is perfect and that over time they are likely to identify aspects that need refinement. He stated that the Forest Service is committed to working with the County and ask that the County work with them as they move forward. He explained that this is not the end but the beginning. Success will require the County and Forest Service to work together to achieve the shared goal of providing for quality recreational experiences for all users of the forest while being responsible stewards and users of the Wallowa-Whitman National Forest.

He thanked the Commissioners for their input and involvement over the past few years and looks forward to working with the Commissioners on implementations.

Monica explained that they would be available to show maps or talk about the areas that are affected.

Commissioner Davidson explained that he appreciates that Bill and Monica came to the Commission meeting to discuss the Travel Management Plan and interact with the interested public. He stated that the County supported Alternative 3 of the plan which was the existing condition alternative. It became clear to the County that this was driven by resource issues; big game habitat, fish health in watersheds, etc. With that understanding the County's position was that the Forest Service did not have an accurate inventory of the roads that were open in the forest. They had requested that the Forest Service take an accurate

inventory. The County organized an effort to come up with the inventory locally with the Search and Rescue and Emergency Services Coordinator who organized the volunteers to inventory the roads. That inventory was submitted as part of the County's comments. The County believes that first and foremost the Forest Service needs to know what is truly open before they decide what is closed. Based on that the County made some comments that are important from the community's perspective with the input the Commissioners had received from the community members. These priority areas included the areas Bill mentioned. Based on the maps that the County has received from the Forest Service the interpretation of the maps, which was difficult to read, was that none of the requests of Union County have been included in the decision. The Five Point Creek OHV area and specifically the Camp 1 crossing is, in the County's opinion, a critical link between existing OHV trails and the Mt. Emily Recreation Area. Discussions have been underway to link MERA into the existing Forest Service OHV trails and this crossing and associated trails would allow for a substantial expansion of the current Forest Service trail system eventually benefiting both the Forest Service and the county owned MERA. The second priority was the South Fork Catherine Creek trail. The County considers this a vital link between the 7787 and the 7700 road. The trail is utilized extensively by OHV's during all times of the year. The Buck Creek area was used by hunters, berry and mushroom pickers, wood cutters as well as an access point to the Eagle Cap Wilderness. These have major social value to the citizens of Union County. The County proposes that the trail system be open year round to OHV greater than 50 inches. The third priority area is the Dry Beaver Creek/Ladd Canyon and Clear Creek travel management areas. These areas have been under travel management in the form of the green dot system which does not allow cross country travel. The County has been told that is going to continue to exist but the maps don't show that. He explained that the County would like clarification on that. The fourth priority area is the Breshears OHV trail system. This is an identified OHV trail area and the County wishes to maintain the area as built including the Forest Service roads that were used to access what is currently Forest Capital managed property. The Breshears trail is primarily maintained by users and is utilized extensively by Union County citizens. Under option 5 modified there were loop roads and connectors such as the 6205 and the 6210090 that were closed or the connection is to be severed which will reduce the functionality of the trail system. As it is already a designated OHV area the County believes that it should be maintained as such.

He explained that there are a number of year round roads that appear to be accessed by seasonal roads so that gives an inaccurate representation of how many roads are truly open year round. The other assertion is that there was an increase in loop road opportunities and the County has not been able to find those. The County would like some further clarification of that. Many people live in Union County and Northeast Oregon in general because of the recreational opportunities that exist. The people have enjoyed the ability to recreate in the

outdoors through the willingness of the private land owners to host those opportunities and taking advantage of the National Forest for decades. Those opportunities continue to dwindle and this is perceived as a major loss of access to what is publicly owned land and is going to tear at the fabric of the social structure in Union County. He stated that it is his intention and he believes the intention of the Board to appeal the decision and discuss the points further with the Forest Service.

Commissioner McClure stated that he agrees with Commissioner Davidson. He explained that he grew up in this area and everyone here has a special place that they like to go and traditionally the forest represented an economic engine in this community and it no longer happens. There is reduced recreational activities to the community and it creates a lot of concern. It is a part of the culture of this community. He thinks there needs to be further investigation done and it is the intention of the County to bring in someone with some expertise to look at the contentions of the problems and see if there needs to be another view of it. He knows it is a difficult decision but as elected officials the Commissioners feel they need to represent the interests of the citizens on this issue.

Commissioner Rosholt stated that after reading the record of decision a couple times it appears to him that at times common sense is dead in the halls of the National Forest Service with regards to the Wallowa-Whitman National Forest Travel Management Plan. With that in mind he can reference many examples but he mentioned page 15 and 16 of the record of decision to resource protection which states, "a primary concern of many". He read that and thought about how many people the Union County Commissioners represent and makes him wonder why the service follows their wishes on big game habitat, water quality, fisheries, and other resources but did not follow any of Union County's primary concerns regarding significant issue 3, access and why the four main concerns were not implemented. The Commissioners will appeal the Plan and look forward to the opportunity to sit down again and discuss the issues.

Commissioner Rosholt explained that the Commissioners would receive public comments at this time.

Art Chase, 64678 Cherrywood Rd. La Grande, explained that he belongs to the Eastern Oregon ATV Club and he came to the Commissioners to share his views on the Travel Management Plan. He explained that he turned in four comments and maps. He took several days and did some GPS mapping on the areas that he would like to see open that many people use. He turned the maps in with his comments and explained that he did not see any environmental problems and that he would be available to go with the Forest Service and show them the area and work with them on the trail system in that area. He has turned in four different comments and has not heard anything from the Forest Service. He thinks that the Wallowa-Whitman has approximately 20% of wilderness already.

With that being said there is plenty of backpacking experience. As far as user conflict he has ridden those trails and he has never heard of any user conflicts.

Irene Gilbert, 2310 Adams Ave. La Grande, stated that she applauds the Commissioners on their decision to file a lawsuit regarding the Travel Management Plan. She stated that according to Forest Service figures the Wallowa-Whitman visitations per year is 47,000 who visit the wilderness area out of 503,000 that visit the Wallowa-Whitman. For the Fiscal Year 2009 the Forest Service came up with a fiscal impact statement that said that over \$27 million comes in to the surrounding communities based on the recreational use of the Wallowa-Whitman National Forest. She thinks this is very short sided in terms of the economic impact on the communities surrounding the Wallowa-Whitman. Union County is a county that has in some ways replaced recreational activities for the non-existence of the timber revenues that were promised when the land was turned over to the Federal government. She is strongly opposed to the Travel Management Plan. She thinks that it is incumbent upon the Commissioners to file the lawsuit and fight this in any way possible. The economic viability of this County is dependent on that access and encouraged the Commissioners with due diligence to do everything they can to fight the Plan.

Franklyn Meeks, 108 Walnut, La Grande, stated that he is a manager for Keystone RV. He doesn't believe the Forest Service takes anything into account when it comes to economic impact. He has lived here most of his life. His parents worked for the mill industry. The timber industry is gone. There were nine mills in the area when he was young and now there is only one. A lot of that void has been filled with recreation activities. Part of that being RV manufacturing with the uses of RV and ATVs. He has watched as the local economy collapse happened and Fleetwood went bankrupt. It was a sad day for everyone in the RV industry even though they were competition. Keystone has purchased a plant in Pendleton and filled some of the void. Nash has also filled some of the void by purchasing the Fleetwood plant. The RV industry is not at full capacity. They are currently working 4 days a week at 32 hours a week. He stated that then the Forest Service comes out with another plan to be a job killer at a time when creation of jobs should be looked at in this country. The Forest Service has no common sense by not looking at that aspect. They have locked up miles of roads not only to ATV use but also to wood cutting. There will be more fires in the future because there will be more dry wood that cannot be accessed which means that instead of maintaining roads the Forest Service would waste money fighting useless fires that could be avoided if the citizens could access some of those areas. He asked the Forest Service representatives to try and cut dry wood 300 feet off the road on the roads that are left open. Common sense would tell you that if there is dry wood more than 300 feet off the road it has probably been used up. He believes that there is enough wilderness area and he feels that it is a loss of freedom. He wanted to leave with a quote from a fellow American, "America will never be destroyed from the outside, if we falter and lose our

freedoms it will be destroyed because we destroyed it ourselves.” Abraham Lincoln.

Alan Larison, 904 21st Street, La Grande, stated that he is against having the forest shut down. He does his wood hunting up there and after looking at the maps it would eliminate his wood cutting. He explained that they burn wood for the winter and he submitted a list of other people that feel the same way.

John Phillips, 753 North Gale Union, OR, stated that as he has gotten older and can't walk like he used to so he uses a 4-wheeler where he does a lot of camping. Another issue that he has is that there is a 14 day camping limit. It is not just moving but getting out of the forest. Camping is about all he can afford to go and do and he is only allowed to camp for 14 days each month. He doesn't mind moving and if there is a problem of overcrowding he would agree with the Forest Service.

Nick Conklin, 1020 Bensen, Union, stated that he has a mining claim that he would lose access to by these changes. He currently has a 4-wheeler trail to his claim and it would cut off his source of income.

Brandy Larison, 904 21st Street, La Grande, she stated that she agrees with the Commissioners on appealing the decision. She explained that she has a young family with five children. She explained that they spend a lot of time in the mountains. They pick mushrooms, berries and get firewood. They not only burn wood but they also get firewood for two other families that have young children as well. It would be a great impact on their lifestyle. Being able to do something with the kids that doesn't cost much money. She explained that she can't afford to pack up all the kids and travel out of town to do activities with the kids.

Chris Marcum, 2209 East L, La Grande, stated that he has lived in Union County his entire life and his family has a camp area at Catherine Creek. With the road closures they will be closed off from that area which his family has camped at for 50 years. It is about 300 yards off their road that they camp at and he will no longer be able to access that area. He suggested that the Commissioners think about the deeper issues about what the Forest Service is trying to do with the Cougar issues and the Bear issues and now the Wolf issues. He thinks there is a deeper problem than what they are letting on. He thinks the Forest Service is trying to preserve themselves a place for predators to thrive and be studied in.

Pat Larson, Secretary of Union County Cattleman and Science and Natural Resource Advisory for the Oregon Cattleman's Association, stated that her concern about some of the roads that will be closed because it will limit the ability to control livestock on some of the allotments. The problems are with getting to livestock and moving them in and out or keeping them off of areas of concern. As a scientist her concern in the plan is their excuses as to why they have to close

the roads. They don't have the data because they haven't been out to collect it. She would like to have the Commissioners visit with the cattlemen's meeting at some point to give the Commissioners some of their concerns as they move forward on the appeal. The cattlemen give the Commissioners all the support they need.

Commissioner McClure stated that he feels the County should take the time and money to do this on a scientific basis. The County needs to do due diligence and look at some of the assumptions and have a discussion about them. He feels that a lot of the Plan was done on a broad brush stroke basis and the County is asking for specific things and they need to be addressed from that standpoint. He would hope that when the County goes through the Plan that the time is spent to find the expertise to make the best appeal that can be made from what is heard from the community.

Commissioner Davidson stated that the County needs to appeal and everyone who has submitted comment who has standing needs to appeal. He explained that he has spoken with Allen Chase from Forest Access for All and they are going to bring an expert in from Montana to set up a workshop to help people go through and write their appeals. Everyone who has standing should submit an appeal because the greater the volume the more impact there will be.

Commissioner Rosholt explained that the Forest Service would be available in the Commissioner's Small Conference Room to show maps of the closures as well as answer questions or concerns.

STOP Grant

Vicky Brogotti, Commission on Children and Families Director, this grant will supplement work going forward with the Drug Free Communities Grant as well as the Strategic Prevention Framework Grant that Center for Human Development is administrating. This will allow them to bridge the two grants and the age group that neither grant reaches at this time. It requires no matching funds and is a four year grant for \$50,000 a year. **Commissioner McClure moved to give permission to access the STOP grant. Commissioner Davidson seconded. Motion carried unanimously.**

Child Abuse Prevention Month Proclamation

Proclamation 2012-02, In the Matter of a Proclamation Declaring April 2012 National Child Abuse Prevention Month, was presented for consideration. Vicky Brogotti explained that April is Child Abuse Prevention Month and this Proclamation has been done before. The Proclamation will be used in advertising during the Month of April to draw attention to the fact that April is Child Abuse Prevention Month and Union County is recognizing that and participating in activities. **Commissioner Davidson moved approval of Proclamation 2012-02**

as presented. Commissioner McClure seconded. Motion carried unanimously.

Consent Agenda

The March 6, 8 and 14 claims journals; the March 7 Public Works claims journals; the March 7 Board of Commissioners Minutes; and the Cable Relocation Reimbursable Agreement were approved as presented on the consent agenda.

Appointment to MERA Non-Motorized Advisory Committee

Court Order 2012-20, In the Matter of Appointment to the Mt. Emily Recreation Area Non-Motorized Advisory Committee, was presented for consideration. This Court Order would appointment Bill Gamble as the U.S. Forest Service Representative on the MERA Non-Motorized Advisory Committee. **Commissioner McClure moved approval of Court Order 2012-20 as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Appointment to MERA Motorized Advisory Committee

Court Order 2012-21, In the Matter of Appointment to the Mt. Emily Recreation Area Motorized Advisory Committee, was presented for consideration. This Court Order would appoint Bill Gamble as the U.S. Forest Service Representative on the MERA Motorized Advisory Committee. **Commissioner Davidson moved approval of Court Order 2012-21 as presented. Commissioner McClure seconded. Motion carried unanimously.**

Airport Building Lease Agreement

Shelley Burgess, Administrative Officer, brought a proposed lease between Union County and the U.S. Forest Service to the Commissioners for consideration. She is asking for the Commissioners approval for her to sign the lease. It would be a two year lease for the office and warehouse building at the Airport. The Forest Service wants to lease 5550 sq. ft. of the building at a rate of \$.46 per sq. ft. which would be \$2497.50 a month. This would be effective April 1, 2012. The helicopter repel team will be housed at this facility. **Commissioner McClure moved approval of lease with U.S. Forest Service and authorize Shelley to sign the lease. Commissioner Davidson seconded. Motion carried unanimously.**

Public Work Grant Loan

Shelley explained that the Commissioners have been discussing the potential of an application for a special public works loan. If the Commissioners would authorize that an application be submitted she could go over the details when a grant offer is received. **Commissioner McClure moved approval of authorization to apply for a special public works loan as presented. Commissioner Davidson seconded. Motion carried unanimously.**

La Grande Rural Fire District Annexation – Hayes

Court Order 2012-19, In the Matter of Adopting an Amendment to the La Grande Rural Fire Protection District Boundary, was presented for consideration. Hanley Jenkins, Planning Director, explained that this is an application to be annexed into the La Grande Rural Fire Protection District. The La Grande Rural Fire District would allow the property into the fire district.

Commissioner Rosholt opened the public hearing for testimony. The public hearing was then closed with no testimony received.

Commissioner McClure moved approval of Court Order 2012-19 as presented. Commissioner Davidson seconded. Motion carried unanimously.

Public Use – Airport Lane

Court Order 2012-18, In the Matter of Changing the Status of a Section of Airport Lane from a Public Use Road to a County Road, was presented for consideration. Hanley Jenkins explained that this Court Order deals with a segment of Airport Lane that was reconstructed last summer 2011 and would bring the road into the county road system. **Commissioner McClure moved approval of Court Order 2012-18 as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Adjournment

The meeting was adjourned at 10:17 a.m.

Respectfully Submitted,

Ashley Wilhelm
Sr. Dept. Specialist II